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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/243,101	02/02/1999	JOSHUA B. SUSSER	08993/007001	2006
24209 7590 02/27/2007 GUNNISON MCKAY & HODGSON, LLP 1900 GARDEN ROAD SUITE 220 MONTEREY, CA 93940			EXAMINER VU, TUAN A	
			ART UNIT 2193	PAPER NUMBER
			MAIL DATE 02/27/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

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09/243,101

EXAMINER

ART UNIT

PAPER

20070222

DATE MAILED:

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Commissioner for Patents

The submission of IDS as per 9/18/06 and 12/01/06 has been considered with respect to fees requirements and CFR 1.97(i), according to which analysis it is determined as followed:

A) Applicant's information disclosure statement of 12/01/06 was filed after the issue fee was paid. Information disclosure statements filed after payment of the issue fee will NOT be considered (marked as NC), but will be placed in the file. However, the application may be withdrawn from issue in order to file a request for continued examination (RCE) under 37 CFR 1.114 upon the grant of a petition under 37 CFR 1.313(c)(2), or a continuing application under 37 CFR 1.53(b) (or a continued prosecution application (CPA) under 37 CFR 1.53(d) if the CPA is for a design patent and the prior application of the CPA is a design application) upon the grant of a petition filed under the provisions of 37 CFR 1.313(c)(3). Alternatively, the other provisions of 37 CFR 1.313 may apply, e.g., a petition to withdraw the application from issue under the provisions of 37 CFR 1.313(c)(1) may be filed together with an unequivocal statement by the applicant that one or more claims are unpatentable over the information contained in the statement. The information disclosure statement would then be considered upon withdrawal of the application from issue under 37 CFR 1.313(c)(1)

B) The information disclosure statement (IDS) submitted on 9/18/06 was filed after the mailing date of the Notice of Allowance and before the Issue fees dated 8/1/06 and 10/10/06, respectively. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Attached: PTO-1449 as of 9/18/06 (considered) and 12/01/06 (Not considered - NC)